the Court overruled the objection prisoner excepted
afterwards in the progress of the argument
the Solicitor on the part of State stated
that in as much as the testimony was
objected to on the part of the prisoner he
withdrew it and asked the Court and jury
so to consider it. The prisoners Council in
reply to the argument of the Solicitor complained
of the course on the part of the prosecution -
In as much as the evidence had been heard
by the jury - The Court in summing up the
evidence did not notice these declarations
of Laura Foster & treated them as withdrawn
Another witness was examined on the part
of the State a white woman by the name
of Eliza Anderson - In the course
of the cross examination prisoners Council
proposed to ask witness if she was
related to John Anderson. John Anderson
was a man of color - The object as stated
to degrade or discredit her. Upon objection
the question was ruled out. Prisoner excepted
The jury found the defendant guilty -
Motion for new trial. Motion refused
Motion in arrest of judgment. Motion
overruled - Judgment being pronounced
defendant prayed an appeal to the Supreme
Court which was granted.

W. M. Shipp
S. S. C. L & E